IN THE HIGH COURT OF JUDICATURE AT PATNA
G. APP. (DB) No.9 of 2008
THE STATE OF BIHAR
Versus
SHOBHIT PASWAN & ANR

Counsel for the State (Appellant):- Mr.Prashun Sinha &
Mr. Shishir Kumar, Advocates

Counsel for the Respondents :- Mr.Anjani Pd. Singh,Advocate
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7 22-7-2008 Heard learned counsel for the State of Bihar, the appellant and perused the judgment whereunder both the respondents have been acquitted of charge under sections 304-B/34 and 201/34 of the Indian Penal Code.

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After considering the prosecution evidence the trial court has come to the conclusion that there was no reliable material to hold that the deceased was being tortured for any reason, much -less for dowry. The trial court has also noticed the circumstances in proper manner, particularly the circumstances that the deceased had died after 3-4 years of her marriage and during this period she had admittedly come to her Naihar on only one occasion. All the defence witnesses including own brother and brother-in- law of the deceased have deposed that she died due to snake bite and one defence witness has claimed that he had administered

some kind of indigenous treatment by way of Jhar-Funk.

Considering all the materials on record, we are of the **view** that the trial court has not committed any illegality or perversity in acquitting the respondents and hence prayer to grant leave to appeal is rejected.

(Shiva Kirti Singh,J)

(Madhavendra Saran,J)

Naresh

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